

HOFLAND & TOMSHECK

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA

Plaintiff,

vs.

VINCENT SULLIVAN,

Defendant.

Case No.: 2:20-cr-00299-GMN-EJY

Stipulation and Order to Continue
Sentencing
(Fifth Request)

IT IS HEREBY STIPULATED AND AGREED, by and between JASON M. FRIERSON, United States Attorney, and KIMBERLY ANNE SOKOLICH, ESQ., Assistant United States Attorney, counsel for the United States of America, and JOSHUA TOMSHECK, ESQ., counsel for Defendant VINCENT SULLIVAN, that the Sentencing and Disposition currently scheduled for February 22, 2023 at 11:00 a.m. be continued for a period of one (1) week to a date convenient for the Court.

This stipulation is entered into for the following reasons:

1. This is the fifth Sentencing and Disposition continuance request.
2. The defendant has a medical issue that makes the current setting not viable. The Defendant tested positive for COVID-19 about three weeks ago. About a week after the positive result, the Defendant's symptoms became severe. The Defendant developed an infection in his lungs and is currently on medication including

1 antibiotics for the infection. While “it is in remission” it is expected that he should
2 return to full health. On February 20, 2023, Defendant still tested positive for
3 COVID-19.

- 4 3. The parties agree to the continuance.
5
6 4. The defendant is not in custody and does not object to this continuance.
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8 5. Additionally, denial of this request for continuance could result in a miscarriage
9 of justice.
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11 6. For the above stated reasons, the parties agree that a continuance of the Sentencing
12 and Disposition would best serve the ends of justice in this case.

13
14 DATED this 22nd day of February, 2023.

15 Respectfully submitted,

16 HOFLAND & TOMSHECK

JASON M. FRIERSON
United States Attorney

17 /s/ Joshua Tomsheck
18 JOSHUA TOMSHECK, ESQ.
19 Counsel for Defendant
VINCENT SULLIVAN

/s/ Kimberly Anne Sokolich
KIMBERLY ANNE SOKOLICH, ESQ.
Assistant United States Attorney

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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. This is the fifth Sentencing and Disposition continuance request.
2. The defendant has a medical issue that makes the current setting not viable. The Defendant tested positive for COVID-19 about three weeks ago. About a week after the positive result, the Defendant's symptoms became severe. The Defendant developed an infection in his lungs and is currently on medication including antibiotics for the infection. While "it is in remission" it is expected that he should return to full health. On February 20, 2023, Defendant still tested positive for COVID-19.
3. The parties agree to the continuance.

- 1 4. The defendant is not in custody and does not object to this continuance.
- 2 5. Additionally, denial of this request for continuance could result in a miscarriage
- 3 of justice.
- 4 6. For the above stated reasons, the parties agree that a continuance of the Sentencing
- 5 and Disposition would best serve the ends of justice in this case.
- 6

7 ORDER

8 IT IS HEREBY ORDERED, that Sentencing and Disposition currently scheduled for

9 February 22, 2023 at 11:00 a.m. be continued to 7th day of March, 2023 at

10 11:00 A.M.

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12 DATED 22 day of February, 2023.

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17 UNITED STATES DISTRICT JUDGE

18 Respectfully Submitted By:

19 /s/ Joshua Tomsheck

20 Joshua Tomsheck, Esq.

21 Nevada Bar No. 009210

22 Attorney for Defendant

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